

the effective date of this Act for certificated air carriers providing scheduled passenger service at Love Field on July 11, 2006. To accommodate new entrant air carriers, the city of Dallas shall honor the scarce resource provision of the existing Love Field leases.

(b) **REMOVAL OF GATES AT LOVE FIELD.**—No Federal funds or passenger facility charges may be used to remove gates at the Lemmon Avenue facility, Love Field, in reducing the number of gates as required under this Act, but Federal funds or passenger facility charges may be used for other airport facilities under chapter 471 of title 49, United States Code.

(c) **GENERAL AVIATION.**—Nothing in this Act shall affect general aviation service at Love Field, including flights to or from Love Field by general aviation aircraft for air taxi service, private or sport flying, aerial photography, crop dusting, corporate aviation, medical evacuation, flight training, police or fire fighting, and similar general aviation purposes, or by aircraft operated by any agency of the Federal Government or by any air carrier under contract to any agency of the Federal Government.

(d) **ENFORCEMENT.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary of Transportation and the Administrator of the Federal Aviation Administration may not make findings or determinations, issue orders or rules, withhold airport improvement grants or approvals thereof, deny passenger facility charge applications, or take any other actions, either self-initiated or on behalf of third parties—

(A) that are inconsistent with the contract dated July 11, 2006, entered into by the city of Dallas, the city of Fort Worth, the DFW International Airport Board, and others regarding the resolution of the Wright Amendment issues, unless actions by the parties to the contract are not reasonably necessary to implement such contract; or

(B) that challenge the legality of any provision of such contract.

(2) **COMPLIANCE WITH TITLE 49 REQUIREMENTS.**—A contract described in paragraph (1)(A) of this subsection, and any actions taken by the parties to such contract that are reasonably necessary to implement its provisions, shall be deemed to comply in all respects with the parties' obligations under title 49, United States Code.

(e) **LIMITATION ON STATUTORY CONSTRUCTION.**—

(1) **IN GENERAL.**—Nothing in this Act shall be construed—

(A) to limit the obligations of the parties under the programs of the Department of Transportation and the Federal Aviation Administration relating to aviation safety, labor, environmental, national historic preservation, civil rights, small business concerns (including disadvantaged business enterprise), veteran's preference, disability access, and revenue diversion;

(B) to limit the authority of the Department of Transportation or the Federal Aviation Administration to enforce the obligations of the parties under the programs described in subparagraph (A);

(C) to limit the obligations of the parties under the security programs of the Department of Homeland Security, including the Transportation Security Administration, at Love Field, Texas;

(D) to authorize the parties to offer marketing incentives that are in violation of Federal law, rules, orders, agreements, and other requirements; or

(E) to limit the authority of the Federal Aviation Administration or any other Federal agency to enforce requirements of law and grant assurances (including subsections (a)(1), (a)(4), and (s) of section 47107 of title

49, United States Code) that impose obligations on Love Field to make its facilities available on a reasonable and nondiscriminatory basis to air carriers seeking to use such facilities, or to withhold grants or deny applications to applicants violating such obligations with respect to Love Field.

(2) **FACILITIES.**—Paragraph (1)(E)—

(A) shall only apply with respect to facilities that remain at Love Field after the city of Dallas has reduced the number of gates at Love Field as required by subsection (a); and

(B) shall not be construed to require the city of Dallas, Texas—

(i) to construct additional gates beyond the 20 gates referred to in subsection (a); or

(ii) to modify or eliminate preferential gate leases with air carriers in order to allocate gate capacity to new entrants or to create common use gates, unless such modification or elimination is implemented on a nationwide basis.

#### **SEC. 6. APPLICABILITY.**

The provisions of this Act shall apply to actions taken with respect to Love Field, Texas, or air transportation to or from Love Field, Texas, and shall have no application to any other airport (other than an airport owned or operated by the city of Dallas or the city of Fort Worth, or both).

#### **SEC. 7. EFFECTIVE DATE.**

Sections 1 through 6, including the amendments made by such sections, shall take effect on the date that the Administrator of the Federal Aviation Administration notifies Congress that aviation operations in the airspace serving Love Field and the Dallas-Fort Worth area which are likely to be conducted after enactment of this Act can be accommodated in full compliance with Federal Aviation Administration safety standards in accordance with section 40101 of title 49, United States Code, and, based on current expectations, without adverse effect on use of airspace in such area.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

### **NEW ENGLAND WILDERNESS ACT OF 2006**

Mrs. HUTCHISON. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. 4001, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 4001) to designate certain land in New England as wilderness for inclusion in the National Wilderness Survey system and certain land as a National Recreation Area, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mrs. HUTCHISON. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any state-ments be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 4001) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 4001

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the "New England Wilderness Act of 2006".

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Section 1. Short title; table of contents  
Sec. 2. Definition of Secretary

#### **TITLE I—NEW HAMPSHIRE**

Sec. 101. Definition of State  
Sec. 102. Designation of wilderness areas  
Sec. 103. Map and description  
Sec. 104. Administration

#### **TITLE II—VERMONT**

Sec. 201. Definitions  
Subtitle A—Designation of Wilderness Areas  
Sec. 211. Designation  
Sec. 212. Map and description  
Sec. 213. Administration

#### **Subtitle B—Moosalamoo National Recreation Area**

Sec. 221. Designation  
Sec. 222. Map and description  
Sec. 223. Administration of National Recreation Area

#### **SEC. 2. DEFINITION OF SECRETARY.**

In this Act, the term "Secretary" means the Secretary of Agriculture, acting through the Chief of the Forest Service.

#### **TITLE I—NEW HAMPSHIRE**

#### **SEC. 101. DEFINITION OF STATE.**

In this title, the term "State" means the State of New Hampshire.

#### **SEC. 102. DESIGNATION OF WILDERNESS AREAS.**

In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following Federal land in the State is designated as wilderness and as components of the National Wilderness Preservation System:

(1) Certain Federal land managed by the Forest Service, comprising approximately 23,700 acres, as generally depicted on the map entitled "Proposed Wild River Wilderness—White Mountain National Forest", dated February 6, 2006, which shall be known as the "Wild River Wilderness".

(2) Certain Federal land managed by the Forest Service, comprising approximately 10,800 acres, as generally depicted on the map entitled "Proposed Sandwich Range Wilderness Additions—White Mountain National Forest", dated February 6, 2006, and which are incorporated in the Sandwich Range Wilderness, as designated by the New Hampshire Wilderness Act of 1984 (Public Law 98-323; 98 Stat. 259).

#### **SEC. 103. MAP AND DESCRIPTION.**

(a) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated by section 102 with the committees of appropriate jurisdiction in the Senate and the House of Representatives.

(b) **FORCE AND EFFECT.**—A map and legal description filed under subsection (a) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(c) **PUBLIC AVAILABILITY.**—Each map and legal description filed under subsection (a) shall be filed and made available for public inspection in the Office of the Chief of the Forest Service.

#### **SEC. 104. ADMINISTRATION.**

(a) **ADMINISTRATION.**—Subject to valid existing rights, each wilderness area designated under this title shall be administered by the Secretary in accordance with—

(1) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(2) the Wilderness Act (16 U.S.C. 1131 et seq.).

(b) **EFFECTIVE DATE OF WILDERNESS ACT.**—With respect to any wilderness area designated by this title, any reference in the

Wilderness Act (16 U.S.C. 1131 et seq.) to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

(c) **FISH AND WILDLIFE.**—As provided in section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this title affects any jurisdiction or responsibility of the State with respect to wildlife and fish in the State.

(d) **WITHDRAWAL.**—Subject to valid existing rights, all Federal land in the wilderness areas designated by section 102 are withdrawn from—

- (1) all forms of entry, appropriation, or disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) disposition under the mineral leasing laws (including geothermal leasing laws).

## TITLE II—VERMONT

### SEC. 201. DEFINITIONS.

In this title:

(1) **MANAGEMENT PLAN.**—The term “Management Plan” means the Green Mountain National Forest Land and Resource Management Plan.

(2) **STATE.**—The term “State” means the State of Vermont.

#### Subtitle A—Designation of Wilderness Areas

### SEC. 211. DESIGNATION.

In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Certain Federal land managed by the United States Forest Service, comprising approximately 22,425 acres, as generally depicted on the map entitled “Glastenbury Wilderness—Proposed”, dated September 2006, which shall be known as the “Glastenbury Wilderness”.

(2) Certain Federal land managed by the United States Forest Service, comprising approximately 12,333 acres, as generally depicted on the map entitled “Joseph Battell Wilderness—Proposed”, dated September 2006, which shall be known as the “Joseph Battell Wilderness”.

(3) Certain Federal land managed by the United States Forest Service, comprising approximately 3,757 acres, as generally depicted on the map entitled “Breadloaf Wilderness Additions—Proposed”, dated September 2006, which shall be known as the “Breadloaf Wilderness”.

(4) Certain Federal land managed by the United States Forest Service, comprising approximately 2,338 acres, as generally depicted on the map entitled “Lye Brook Wilderness Additions—Proposed”, dated September 2006, which shall be known as the “Lye Brook Wilderness”.

(5) Certain Federal land managed by the United States Forest Service, comprising approximately 752 acres, as generally depicted on the map entitled “Peru Peak Wilderness Additions—Proposed”, dated September 2006, which shall be known as the “Peru Peak Wilderness”.

(6) Certain Federal land managed by the United States Forest Service, comprising approximately 47 acres, as generally depicted on the map entitled “Big Branch Wilderness Additions—Proposed”, dated September 2006, which shall be known as the “Big Branch Wilderness”.

### SEC. 212. MAP AND DESCRIPTION.

(a) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated by section 211 with—

- (1) the Committee on Resources of the House of Representatives;
- (2) the Committee on Agriculture of the House of Representatives; and

(3) the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(b) **FORCE OF LAW.**—A map and legal description filed under subsection (a) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(c) **PUBLIC AVAILABILITY.**—Each map and legal description filed under subsection (a) shall be filed and made available for public inspection in the Office of the Chief of the Forest Service.

### SEC. 213. ADMINISTRATION.

(a) **ADMINISTRATION.**—Subject to valid rights in existence on the date of enactment of this Act, each wilderness area designated under this subtitle and in the Green Mountain National Forest (as of the date of enactment of this Act) shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.).

(b) **FISH AND WILDLIFE.**—Nothing in this subtitle affects the jurisdiction of the State with respect to wildlife and fish on the public land located in the State, including the stocking of fish in rivers and streams in the State to support the Connecticut River Atlantic Salmon Restoration Program.

(c) **TRAILS.**—The Forest Service shall allow the continuance of—

- (1) the Appalachian National Scenic Trail;
- (2) the Long Trail;
- (3) the Catamount Trail; and
- (4) the marking and maintenance of associated trails and trail structures of the Trails referred to in this subsection, consistent with the management direction (including objectives, standards, guidelines, and agreements with partners) established for the Appalachian National Scenic Trail, Long Trail, and Catamount Trail under the Management Plan.

#### Subtitle B—Moosalamoo National Recreation Area

### SEC. 221. DESIGNATION.

Certain Federal land managed by the United States Forest Service, comprising approximately 15,857 acres, as generally depicted on the map entitled “Moosalamoo National Recreation Area—Proposed”, dated September 2006, is designated as the “Moosalamoo National Recreation Area”.

### SEC. 222. MAP AND DESCRIPTION.

(a) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of the national recreation area designated by section 221 with—

- (1) the Committee on Resources of the House of Representatives;
- (2) the Committee on Agriculture of the House of Representatives; and
- (3) the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(b) **FORCE OF LAW.**—A map and legal description filed under subsection (a) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(c) **PUBLIC AVAILABILITY.**—Each map and legal description filed under subsection (a) shall be filed and made available for public inspection in the Office of the Chief of the Forest Service.

### SEC. 223. ADMINISTRATION OF NATIONAL RECREATION AREA.

(a) **IN GENERAL.**—Subject to valid rights existing on the date of enactment of this Act, the Secretary shall administer the Moosalamoo National Recreation Area in accordance with—

- (1) laws (including rules and regulations) applicable to units of the National Forest System; and

(2) the management direction (including objectives, standards, and guidelines) established for the Moosalamoo Recreation and Education Management Area under the Management Plan.

(b) **FISH AND WILDLIFE.**—Nothing in this subtitle affects the jurisdiction of the State with respect to wildlife and fish on the public land located in the State.

(c) **ESCARPMENT AND ECOLOGICAL AREAS.**—Nothing in this subtitle prevents the Secretary from managing the Green Mountain Escarpment Management Area and the Ecological Special Areas, as described in the Management Plan.

## THE CALENDAR

Mrs. HUTCHISON. Mr. President, I ask unanimous consent the Senate proceed to an immediate en bloc consideration of the following bills: Calendar No. 393 to 400, 403 to 410, 420, 533, and 584.

The PRESIDING OFFICER. Is there objection?

Without objection, the Senate will proceed en bloc.

Mr. COBURN. Mr. President, reserving the right to object.

The PRESIDING OFFICER. Is there objection? The Senator from Oklahoma.

Mr. COBURN. I do not intend to object in the final analysis on this, but I think the American public needs to hear how this bill got here and the associated processes with it. I want to share my concerns over it. It will take me a few minutes to do that, but I think it is important that we do this.

Before I lift my objection to the authorization in this package, I think it is important to know that this obligates the American people for \$1.5 billion. The majority leader originally sought consent for this package in May and again in July. After carefully reviewing the package, considering the oath that I took in January of 2005, I could not give that consent.

I immediately sat down with the chairman of the Energy Committee. I outlined in detail my concerns with him. And I am committed by putting my objections in writing, and I did so.

I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,  
Washington, DC, May 25, 2006.

Hon. PETE DOMENICI,  
Committee on Energy and Natural Resources  
U.S. Senate.

DEAR CHAIRMAN DOMENICI: I want to thank you for agreeing to meet with me late last week. As follow-up to our conversation and per my commitment to you, I am providing a more thorough review of the concerns that prompted me to place a hold on the committee package.

First and foremost, as we discussed during our meeting, I want to underscore my concern that the package gives very little consideration to the future impact on spending and the growing deficit. With rare exception, each bill in the package creates or expands authorized spending levels, with no consideration for finding similarly authorized programs that have failed to meet Congressional intent or which have outlived their